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10/672,622	09/26/2003	Yoshiki Fujimura	0001494/2215USU	8062

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EXAMINER	
HICKS, MICHAEL J	
ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,622	FUJIMURA, YOSHIKI	
	Examiner	Art Unit	
	Michael J. Hicks	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 September 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-6 Pending.

Claim 7 Canceled.

Response to Arguments

2. Applicant's arguments, see response, filed 9/13/2007, with respect to the rejection(s) of claim(s) 1-6 under USC 102 have been fully considered and are persuasive in light of the amendments made to the claims. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Loen et al. (Canadian Patent Application CA 2303466 A1, Published 09/30/2001 and referred to hereinafter as Loen) in view of Davis et al. (U.S. Patent Number 5,937,160 and referred to hereinafter as Davis).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "the file search process in the management terminal" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Loen in view of Davis.

As per Claim 1, Loen discloses a system for automatically updating a home page automatic, comprising: a home page database storing HTML document data for the home page (i.e. *"When a user selects the publish function, the application automatically creates the HTML, DHTML and JavaScript codes required to load and run the web page in the viewer's browser. Then the web page is saved in a directory chosen by the user."* The preceding text excerpt clearly indicates that a web page/home page is stored in a home page database. Examiner notes that, in this case, the creator/managers system functions as a database and that as the creator/manager may specify the location of storage, an external database may be indicated.) (Page 17, Lines 3-5); a schedule database storing schedule data relating to the HTML document data (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the*

developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page." The preceding text excerpt clearly indicates that scheduling information is created and stored. Examiner notes that the scheduling database need not be separate from the home page database.) (Page 14, Lines 13-19); a home page management unit reading out the HTML document data from the home page database in response to a request from a user terminal, and transmitting the readout HTML document data to the user terminal (i.e. *"As known in the art, the browser is used to gain access to and retrieve data from documents on a remote computer. In the preferred embodiment, the documents include web sites on the Internet. Web pages are stored as files on the remote computer and the Uniform Resource Locator (URL) specifies the file location. Commonly, the browser sends requests to a web site, the web server for the web site retrieves the information and sends the web browser the information. The web page format can include HTML, text, images, audio, and video along with many other features. The web page is created by a web developer at remote computer 50 and is accessed by a user at computer 30."* The preceding text excerpt clearly indicates that a user may request to view the web page and that the request is handled by a home page management unit (e.g. server process) that retrieved the web page and transmits it to the user.) (Page 6, Lines 11-18), the home page management unit receiving second update data from an update terminal and transferring the second update data to the home page database (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates

that an update terminal (e.g. the manager/creators console) may be used to input update data and transfer the update data to the server to be stored in the home page database.) (Page 10, Lines 5-12); a patrol search unit patrolling the mail server, the update terminal, the home page database, and the schedule database to search and extract data relating the update of the HTML document data in accordance with a patrol order of the mail server, the update terminal, the home page database, and the schedule database (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page."* The preceding text excerpt clearly indicates that schedules may be created which search for and process updates to the web page. Examiner notes that as schedules may call other schedules, a 'master schedule' (e.g. patrol order) may be created which calls sub schedules to search for and process updates in each of the mail server (as disclosed below), the update terminal, the home page database, and the schedule database. Examiner notes that as the updates are never stored in the update terminal or the schedule database, it is not necessary to search for updates in those repositories, however, with the above disclosed method, schedules could be created to check for updates within those sources.) (Page 14, Lines 13-19), a patrol timing and a number of times that patrol is to be carried out, which are determined based on the order of priority for accessing the mail server, the home page database, the update terminal, and the schedule database (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web*

page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page." The preceding text excerpt clearly indicates that the patrol timing and number of patrols to be carried out are defined in the master schedule (e.g. patrol order), as above.) (Page 14, Lines 13-19; Page 17, Lines12-13; Page18, Lines 16-19); and an update data generation unit generating update HTML document data on the basis of the extracted data, the generating unit updating the HTML document data with reference to the schedule data at the patrol timing, and at least, one of the first and second update data is incorporated in the update HTML document data if the one of the first and second update data is searched and extracted as the extract data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied.) (Page 10, Lines 5-12); wherein the update terminal is allowed to set the patrol timing, patrol order, number of times patrol is to be carried out, and setting regarding whether or not to cause the patrol to be carried out (i.e. *"Scheduling is used to link web page appearance and content to the time of day or to a specific time interval. Web page developers can schedule any of the events defined above to occur at any time during a schedule. The scheduling feature is also accompanied by GUI 84 as illustrated in Figure 25. The GUI allows the developer to create a time line schedule for each region of the web page. A schedule file in an XML format is created from the information provided to the GUI. The schedule file contains one or more schedules to be executed by a web page…Finally, the Java Applets*

manage the execution of any schedules attached to the web page. The schedule file is loaded, then converted from XML into an internal data structure. The Java Applets monitor the time, then run the required events in the schedule file at the appropriate time." The preceding text excerpt clearly indicates that the creator/manager controls the schedules and schedule data by way of the console (e.g. update terminal).) (Page 14, Lines 13-19; Page 17, Lines 12-13; Page 18, Lines 16-19).

Loen fails to disclose a mail server receiving a mail message from an entrant, the mail message including a request of updating the HTML document data and first update data.

Davis discloses a mail server receiving a mail message from an entrant, the mail message including a request of updating the HTML document data and first update data (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted."* The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the

update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Loen with the teachings of Davis to include a mail server receiving a mail message from an entrant, the mail message including a request of updating the HTML document data and first update data with the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

As per Claim 2, Loen discloses the update HTML document data contains banner advertisement data (i.e. *"In step 110 of method 100, the web developer specifies various regions in the template where content is to appear. The user is also able to specify the properties for each region. Their properties control the appearance of the region and any dynamic effects that may occur within the region. This step is also accompanied by a GUI."* The preceding text excerpt clearly indicates that the updated content may be specific to a defined region of the web page (e.g. a banner advertisement). Examiner also notes that as the type of data that is being loaded as update information to the web page has no effect on the process of the updating and loading, the limitation that the document data is banner advertisement data is considered to be non-functional descriptive material and given no patentable weight.) (Page 8, Lines 13-16).

As per Claim 3, Loen fails to disclose the reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail server.

Davis discloses the reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail server (i.e. *"A provider of content for a hypertext document can send an e-mail message containing revisions or additions to the document directly (or indirectly) to the server hosting the hypertext document and automatically revise the document without requiring the intervention of another party. Revisions to a hypertext document may be generated in the same manner as an e-mail message is created or independently via a source external to an e-mail utility. For example, revisions may be generated in a word processing program and automatically transmitted to a server via an e-mail message...The present invention may also include an Information Management System (IMS) module which monitors all activity, manages update schedules, and creates various logs and reports. The present invention allows many content providers to update authorized Web pages in either a supervised or an unsupervised mode...Instructions are preferably transmitted to a device's incoming e-mail box to await retrieval by the device. A receiving device need not be in continuous communication with the computer network. A receiving device may connect to the network periodically to retrieve instructions from its incoming e-mail box, log off and then carry out the instructions. A receiving device may be instructed to transmit data across the network to another receiving device. For example, information including sales totals, number of users, quantities of product delivered, and the like, may be transmitted."* The preceding text excerpt clearly indicates that email messages requesting to update the HTML document data, and including the update data therein may be transmitted to the server hosting the html document (e.g. the mail server of the creator/managers system).) (Column 3, Lines 3-12 and 53-58; Column 15, Lines 58-67).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Loen with the teachings of Davis to include the reception process of a mail message includes a process for sending a mail transmission request to the mail server, and a reception process of a mail message from the mail

server with the motivation of automatically revising a hypertext document stored within a server connected to a computer environment which utilizes scheduling (Abstract and Column 3, Lines 53-58).

As per Claim 4, Loen discloses the extraction process of update data of the HTML document data stored in the home page database includes a process for reading out a latest first HTML document data and a second HTML document data having an update time a predetermined period of time before the current time from the home page database (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that in order to detect changes to the document (e.g. mismatched data part) a latest first HTML document (e.g. updated document) must be compared to a second HTML document (e.g. the current page being updated) after the documents are read out.) (Page 10, Lines 5-12), and a process for extracting a mismatched data part of the first and second HTML document data (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can*

define the interval for which the browser applet updates the content from the server. This interval can be unique for each region." The preceding text excerpt clearly indicates that when the scheduled patrol identifies updated data in any of the search repositories, the data is extracted and the updates applied. Examiner notes that in order to detect changes to the document (e.g. mismatched data part) a latest first HTML document (e.g. updated document) must be compared to a second HTML document (e.g. the current page being updated) after the documents are read out.) (Page 10, Lines 5-12).

As per Claim 5, Loen discloses the file search process in the management terminal includes a process for sending a file search request to the update terminal, and a reception process of an update file from the update terminal (i.e. *"In step 210, a Java applet in the web browser monitors the source of the content in each template region. In step 220, the browser Java applet determines if the content has changed. If yes, then in step 230, the browser Java applet parses the source code of the updated content. In step 240, the new content is downloaded from the source and reloaded into the web page region automatically. The affected region is updated on the web page without affecting the rest of the page. The web page developer can define the interval for which the browser applet updates the content from the server. This interval can be unique for each region."* The preceding text excerpt clearly indicates that an update terminal (e.g. the manager/creators console) may be used to input update data and transfer the update data to the server to be stored in the home page database. Examiner notes that the update file may be identified through a file search on the manager/creators console.) (Page 10, Lines 5-12).

As per Claim 6, Loen discloses the schedule database set with a predetermined cyclic period, and update data associated with the schedule database (i.e. *"Each schedule contains one or more Events and each Event contains a Message and a Time Value. Each Message includes one of the Event Trigger Types and one or more parameters that are used to control the Event*

Trigger. Each Time Value has a Type and a Value. The Type can be either RealTime or TimeOfDay. The Time Value for RealTime Events is a number in seconds. The Time Value for TimeOfDay Events Action consists of a number of elements. One or more of these elements must be present: YEAR, MONTH, DAY, HOUR, MINUTE, SECOND, GMT. Time Values are calculated based on the time elements that are present. For instance, if only the month value is specified, the event will occur once, whenever the web page is viewed during the matching month. If both the month and the day are specified, the event will occur on that day, regardless of the year. Alternately, if only a time value is specified (for example: HOUR = 15, MINUTE=10), then that event will occur every day at 3:10pm." The preceding text excerpt clearly indicates that the schedule data may be set to apply the update data on a predetermined cyclic period.) (Page 14, Lines 20-25; Page 15, Lines 1-8), and the search process of schedule data in the schedule database includes a search process of update data associated with a schedule corresponding to the current time (i.e. *"Each schedule contains one or more Events and each Event contains a Message and a Time Value. Each Message includes one of the Event Trigger Types and one or more parameters that are used to control the Event Trigger. Each Time Value has a Type and a Value. The Type can be either RealTime or TimeOfDay. The Time Value for RealTime Events is a number in seconds. The Time Value for TimeOfDay Events Action consists of a number of elements. One or more of these elements must be present: YEAR, MONTH, DAY, HOUR, MINUTE, SECOND, GMT. Time Values are calculated based on the time elements that are present. For instance, if only the month value is specified, the event will occur once, whenever the web page is viewed during the matching month. If both the month and the day are specified, the event will occur on that day, regardless of the year. Alternately, if only a time value is specified (for example: HOUR=15, MINUTE=10), then that event will occur every day at 3:10pm."* The preceding text excerpt clearly indicates that the schedule data may be set to apply the update data on a predetermined time a set number of seconds beyond the current time, or may be triggered to search for updates at the current time.) (Page 14, Lines 20-25; Page 15, Lines 1-8).

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Hicks whose telephone number is (571) 272-2670. The examiner can normally be reached on Monday - Thursday 9:00a - 7:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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